

Congress of the United States
Washington, DC 20515

February 10, 2006

The Honorable Jerry Lewis
Chairman
House Appropriations Committee
United States House of Representatives
Washington, D.C. 20515

The Honorable David Obey
Ranking Member
House Appropriations Committee
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Lewis and Ranking Member Obey:

We are writing as co-chairs of the Congressional Victims' Rights Caucus because of our great concern about the proposed budget provision that would once again seriously jeopardize the future of the funding mechanism for the Victims of Crime Act (VOCA)—the Crime Victims Fund. VOCA was enacted by the initiative of President Ronald Reagan to pay for victims' services and compensations. For more than 22 years, the Fund has operated on money collected from criminal offenders, not taxpayers, that is then placed in the Crime Victims Fund.

In 2000, because of wide fluctuations of deposits into the Fund, Congress began limiting how much of the Fund could be obligated each year in order to stabilize VOCA in years when deposits fall below the annual cap. A "rainy day" reserve is created in those years when amounts deposited exceed the annual cap.

The Administration wants us to empty out that reserve. They asked us to do that last year and Congress overwhelmingly said, "NO!" They are asking us again this year, and Congress must again emphatically say, "NO!"

Both the underlying authorizing statute and Congressional appropriators have consistently pledged that all amounts in the Crime Victims Fund be kept there for victims. Specifically, the statute reads, "Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this chapter for grants under this chapter without fiscal year limitation. Notwithstanding section 1402(d)(5), all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation." (42 U.S.C. 10601(c)).

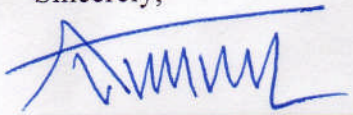
Perhaps equally important, when Congressional appropriators imposed the annual cap on Fund obligations in Fiscal Year 2000, they did so with the express intention of keeping those funds available for future victims' services. In the conference report (106-479), they stated, "The conferees have taken this action [limiting annual Fund obligations] to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years."

The VOCA Fund is a crucial resource many communities and organizations rely on for victims' services and compensation. It helps provide rape crisis centers, domestic violence shelters, and victims' compensation for court costs, funeral services, and medical expenses. Rescinding \$1.255 billion from the Crime Victims Fund as proposed by President Bush's Fiscal Year 2007 Budget would renege on the promise of Congress to provide stable funding for these and other victims' services and compensation.

There are approximately 4,400 agencies that depend upon VOCA's victim assistance funds to provide direct services to 3.6 million crime victims a year. In addition, there are 165,000 victims who received some \$434 million (State and VOCA funds) in crime victim compensation benefits. Currently, VOCA is the only Federal program that supports services to victims of all types of crimes: homicide fatalities, drunk driving, elder financial exploitation, identity theft, robbery, and rape.

Protecting the Crime Victims Fund is perhaps the most significant thing we can do to fulfill our commitment to help crime victims. Thus we urge you to retain the Fund balance for future victims' services.

Sincerely,



TED POE
Co-Chair



Jim Costa
Co-Chair



Katherine Harris
Co-Chair